



FEBRUARY 13 - 17, 2006 ST. LOUIS, MISSOURI

James B. Loken, Chief Judge - Minneapolis, Minnesota

Circuit Judges in Active Service

**Roger L. Wollman - Sioux Falls, SD
Morris S. Arnold - Little Rock, AR
Diana E. Murphy - Minneapolis, MN
Kermit E. Bye - Fargo, ND
William Jay Riley - Omaha, NE
Michael J. Melloy - Cedar Rapids, IA
Lavenski R. Smith - Little Rock, AR
Steven M. Colloton - Des Moines, IA
Raymond W. Gruender - St. Louis, MO
Duane Benton - Kansas City, MO**

Circuit Judges Who Have Taken Senior Status

**Donald P. Lay - St. Paul, MN
Gerald W. Heaney - Duluth, MN
Myron H. Bright - Fargo, ND
Theodore McMillian - St. Louis, MO
John R. Gibson - Kansas City, MO
George G. Fagg - Des Moines, IA
Pasco M. Bowman - Kansas City, MO
Frank J. Magill - Fargo, ND
C. Arlen Beam - Lincoln, NE
David R. Hansen - Cedar Rapids, IA**

NOTICE TO ALL COUNSEL

Please review the entire calendar, as you may have more than one case scheduled for oral argument. Please check the calendar carefully for the starting time for your day and division.

Court will be held in the Thomas F. Eagleton Courthouse at 111 S. 10th Street, St. Louis, Missouri. Division I will be held in the En Banc Courtroom on Floor 28. Division II will be held in the Southeast Courtroom on Floor 27, and Division III will be held in the Northeast Courtroom on Floor 27. Counsel presenting oral argument should report to the clerk's office, Room 24.329, 30 minutes before Court convenes.

Counsel may not waive oral argument without prior leave of court. Absent leave of court, only one attorney is permitted to present the argument for a party. However, if the parties on a side are separately represented and have filed separate briefs, each party on that side is permitted to argue; in such a case, counsel must confer and decide how they will split the time shown on the calendar. Questions should be addressed to the Clerk of Court.

Appearance forms of counsel, if not previously submitted, must be completed and forwarded immediately to the clerk's office. Every attorney who presents oral argument must be admitted to the Eighth Circuit Bar unless appointed to represent a party proceeding in forma pauperis.

The time allotted for each side's argument is noted to the right of the case. *Cases designated as NO ARG will be submitted to the Court on the briefs and record without oral argument, and counsel are not required to appear for cases designated NO ARG.*

Michael E. Gans
Clerk of Court

www.ca8.uscourts.gov

Updated 02/10/06

DIVISION I
28th Floor
En Banc Courtroom

MONDAY, FEBRUARY 13, 2006, BEGINNING AT 9:00 A.M.
BEFORE JUDGES LOKEN, BOWMAN, SMITH

			DMH
1.	05-2604 NE	Citizens for Equal Protection, Inc., etc., et al. v. Jon C. Bruning, etc., et al.	30
2.	05-3054	Ronald J. Speltz, et al. v. Commissioner of Internal Revenue	20
	05-2879 EA	Judy A. Moody v. Colson Caster Corporation	NO ARG
	05-3419 MN	United States v. Arthur Dale Senty-Haugen, etc.	NO ARG
	05-3191 EM	Karla Robinson v. Geico General Insurance Company	NO ARG
	05-2579 NE	United States v. Charles Marion, etc.	NO ARG
	05-2672 WM	United States v. Derone D. Gipson	NO ARG
3.	05-2655 EM	Yvonne Thomas v. St. Louis Board of Police Commissioners, et al.	15

DIVISION I
28th Floor
En Banc Courtroom

TUESDAY, FEBRUARY 14, 2006, BEGINNING AT 9:00 A.M.
BEFORE JUDGES LOKEN, BOWMAN, SMITH

			ABC/DMS-P
1.	05-3258 NE	United States v. Rigoberto Valle Cruz, etc., et al.	15
	05-2989 SI	United States v. Jesse Lee Crawford	NO ARG

2.	05-3001	SI	United States v. Brian Michael Gall	10
	05-3164	WA	United States v. Brian Fay Jeremiah	NO ARG
	05-3139	SI	United States v. Obed Rodriguez-Lopez	NO ARG
3.	05-3143	SD	United States v. Jerry Medicine Horn	15

**** SPECIAL SESSION****

****ST. LOUIS UNIVERSITY SCHOOL OF LAW****

**WEDNESDAY, FEBRUARY 15, 2006, BEGINNING AT 9:00 A.M.
BEFORE JUDGES LOKEN, BOWMAN, SMITH**

				KAS
1.	05-2750	NE	Elizabeth M., et al. v. Nancy Montenez, etc., et al.	20
2.	05-2808	EM	St. Charles County, etc. v. State of Wisconsin	15
3.	05-1872	EM	Malik Abdul-Muhammad, et al. v. Gary Kempker, et al.	15

**DIVISION I
28th Floor
En Banc Courtroom**

**THURSDAY, FEBRUARY 16, 2006, BEGINNING AT 9:00 A.M.
BEFORE JUDGES LOKEN, LAY, SMITH**

				BWB
1.	05-1038	SD	Kimberly Pietrafeso, etc. v. Lawrence County, South Dakota, et al.	
	05-1096	SD	Kimberly Pietrafeso, etc. v. Lawrence County, South Dakota, et al.	20
	05-3086	SD	United States v. Brett Clyde	NO ARG
	05-3282	NE	United States v. Brandy K. Brenton	NO ARG
2.	05-3117	SD	United States v. Louis Black Lance	15

[05-2928](#)NE

United States v. Jose Delepaz

NO ARG

**FRIDAY, FEBRUARY 17, 2006, BEGINNING AT 8:30 A.M.
BEFORE JUDGES LOKEN, LAY, SMITH**

			LAD
	05-2530 WM	Gary Samuels, et al. v. American Family Insurance Company	NO ARG
1.	05-2952 SD	Sara Wojewski v. Rapid City Regional Hospital, Inc., et al.	15
2.	05-3110 WM	Rick Plemmons v. J. T. Roberts, etc., et al.	15
	05-2455 EA	Jerry Yeager v. City Water and Light Plant of Jonesboro, Arkansas	NO ARG
3.	05-2566 SD	Alex Falk, et al. v. United States, etc.	15

**DIVISION II
27th Floor
Southeast Courtroom**

**MONDAY, FEBRUARY 13, 2006, BEGINNING AT 9:00 A.M.
BEFORE JUDGES WOLLMAN, FAGG, ARNOLD**

			LMT
1.	05-1745 EM	United States v. Reginald Dinez Johnson, etc.	
	05-2056 EM	United States v. Patricia Alexander-Butler, etc.	
	05-2092 EM	United States v. Carl Alexander	
	05-2975 EM	United States v. Terry Brown	20
2.	05-3194 SD	United States v. Leonard Peltier	15
3.	05-2918 WA	AIG Centennial Insurance Company v. Jane Fraley-Landers, etc., et al.	15
	05-2985 WM	Hallmark Cards, Inc., etc. v. Gainey Transportation Services, Inc., etc.	NO ARG

05-2714	MN	United States v. Reyes Manuel Ayon	NO ARG
05-2079	NE	United States v. Octavio Barron	NO ARG
05-1861	NE	United States v. Shawn Rogers	NO ARG
05-2612	MN	United States v. Gary Bernard Cain	NO ARG

**TUESDAY, FEBRUARY 14, 2006, BEGINNING AT 9:00 A.M.
BEFORE JUDGES WOLLMAN, FAGG, ARNOLD**

			PAW
1.	05-2594 NE	United States v. Joshua Thorpe, etc.	
	05-2627 NE	United States v. Joshua Thorpe, etc.	15
	05-3507 WA	United States v. Joseph Michael Klingner	NO ARG
	05-3435 WM	United States v. Marcus Deangelo Jones, etc.	NO ARG
2.	05-2526 EM	United States v. Mark A. Burgess	10
	05-2681 NE	United States v. Ezequiel Jacinto	NO ARG
	05-2708 NE	United States v. Jessie J. Reams	NO ARG

**DIVISION II
27th Floor
Southeast Courtroom**

**WEDNESDAY, FEBRUARY 15, 2006, BEGINNING AT 9:00 A.M.
BEFORE JUDGES WOLLMAN, FAGG, ARNOLD**

			DGH
1.	05-2707 SI	Douglas Beyer v. Firststar Bank, etc.	15
2.	05-3378 EA	United States v. James Stephen Alexander, II	10
	05-3784 MN	United States v. Talon Colt Wildwood	NO ARG
3.	05-3254 WM	United States v. Christopher Quezada, etc.	10
4.	05-3376 EM	United States v. Christopher Haney	10
	04-2289 WM	United States v. Mario Alberto Bueno	

BEGINNING AT 1:30 P.M.**BEFORE JUDGES SMITH, HEANEY, BENTON**

[05-1115](#)EA Pediatric Specialty Care, Inc., et al. v.
Arkansas Foundation for Medical Care
[05-1116](#)EA Pediatric Specialty Care, Inc., et al. v.
Arkansas Department of Human
Services, et al.
[05-1668](#)EA Pediatric Specialty Care, Inc., et al. v.
Arkansas Department of Human
Services, et al.

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DIVISION II**27th Floor****Southeast Courtroom****THURSDAY, FEBRUARY 16, 2006, BEGINNING AT 9:00 A.M.****BEFORE JUDGES WOLLMAN, ARNOLD, GRUENDER****MER/BNS-O**

1.	05-2275 EA	Design Professionals Insurance Company, etc., et al. v. Chicago Insurance Company, etc.	
	05-2276EA	Design Professionals Insurance Company, etc., et al. v. ESI Group, Inc., etc.	
	05-2326EA	Design Professionals Insurance Company, etc. v. Chicago Insurance Company, etc.	20
2.	05-3417 SI	United States v. Darwin G. Rice	15
3.	05-3252 NI	United States v. Rex Bernard Breitbach	10
	05-3064 ND	United States v. William Paul See Walker	REMOVED
4.	05-3247 ND	United States v. Clayton Lee Lockwood	10

FRIDAY, FEBRUARY 17, 2006, BEGINNING AT 8:30 A.M.

BEFORE JUDGES WOLLMAN, ARNOLD, GRUENDER

			CMD
	05-2915 WM	Kevin King v. City of Independence	NO ARG
1.	05-2777 MN	Gregory Winskowski v. City of Stephen	15
2.	05-2476	In re: Gary Wayne Colsen, Debtor Gary Wayne Colsen v. United States of America, etc.	15
3.	05-2620 MN	The Baer Gallery, Inc. v. Citizens Scholarship Foundation of America, etc.	15
4.	05-2832 MN	Gerald Richter, et al. v. ITW Ransburg Electrostatic Systems Group, etc., et al.	15

DIVISION III
27th Floor
Northeast Courtroom

MONDAY, FEBRUARY 13, 2006, BEGINNING AT 9:00 A.M.
BEFORE JUDGES RILEY, MELLOY, BENTON

			TAB
	05-2538 SI	Curt Daniels, etc. v. State of Iowa, et al.	NO ARG
	05-3037 NE	National American Insurance Company, etc. v. Republic Western Insurance Company, etc., et al.	NO ARG
1.	05-1780 WM	Missouri Protection & Advocacy Services v. Missouri Department of Mental Health, et al.	
	05-3303 WM	MO Protection & Advocacy Services v. Missouri Department of Mental Health, et al.	20
	05-2758 MN	United States v. Garrett Lee Jones, etc.	NO ARG
	05-2492 NE	United States v. Joseph N. Sanchez	NO ARG
	05-2430 NE	United States v. Jose Soto	NO ARG
	05-2195 WA	United States v. Douglas Leon Harkreader	NO ARG

****SPECIAL SESSION****

****WASHINGTON UNIVERSITY SCHOOL OF LAW****

**TUESDAY, FEBRUARY 14, 2006, BEGINNING AT 9:00 A.M.
BEFORE JUDGES RILEY, MELLOY, BENTON**

			YML
1.	05-2448 WM	David W. Bailey v. Department of Elementary and Secondary Education, etc., et al.	15
2.	05-2762 EM	Louis V. Mayorga v. State of Missouri, et al.	15
3.	05-2540 SI	United States v. John Hansl DIVISION III 27th Floor Northeast Courtroom	15

**WEDNESDAY, FEBRUARY 15, 2006, BEGINNING AT 9:00 A.M.
BEFORE JUDGES RILEY, HEANEY, MELLOY**

			JPP
1.	05-2208 WM	Kevin Nitsche v. CEO of Osage Valley Electric Cooperative	15
2.	05-3316 WM	United States v. Roy J. Hudspeth	15
3.	05-2791 NE	Kelly Bowlin, etc. v. Nancy Montanez, etc.	15
	05-2497 SI	Rogers Scott Sellers v. John Ault, etc.	NO ARG
4.	05-2713 ND	United States v. Gregory Alan Krutsinger, etc.	
	05-2781ND	United States v. Katherine Colleen OMeara	20
5.	05-3062 WM	United States v. Matthew Andrew Key	10

**THURSDAY, FEBRUARY 16, 2006, BEGINNING AT 9:00 A.M.
BEFORE JUDGES BYE, HEANEY, MELLOY**

JMH

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|----|----------------------------|--|---------------|
| 1. | 05-2249 NI | United States v. Kasper Lamar Dobbs | |
| | 05-2973 NI | United States v. Robert Wilson, Jr. | 20 |
| | 05-3245 NE | United States v. Jesus Nevarez-Sanchez | NO ARG |
| | 04-2158 | Candelaria Dominguez-Capistran v.
John Ashcroft, etc. | NO ARG |
| 2. | 05-3465 MN | Guy Carpenter & Company, Inc. v. John
B. Collins Associates, etc., et al. | 15 |
| 3. | 05-2532 EM | United States v. Dwight Fowler | 15 |

**DIVISION III
27th Floor
Northeast Courtroom**

**FRIDAY, FEBRUARY 17, 2006, BEGINNING AT 8:30 A.M.
BEFORE JUDGES BYE, HEANEY, MELLOY**

LLB

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|----|----------------------------|--|----|
| 1. | 05-2213 EA | Mountain Pure, LLC v. Turner Holdings,
etc., et al. | 15 |
| 2. | 05-2829 NI | Steven A. Breitkreutz v. Cambrex Charles
City, etc. | 15 |
| 3. | 05-2376 MN | Gary Fiedler v. County of Murray, et al. | 15 |
| 4. | 05-1572 SD | Karl M. Schenk, et al. v. Robert L. Chavis, etc. | 15 |
| 5. | 05-2836 EM | United States v. Dan Kendall | 10 |